

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7515

BILL NUMBER: SB 562

NOTE PREPARED: Jan 11, 2011

BILL AMENDED:

SUBJECT: Publication of Notice by Local Government Units.

FIRST AUTHOR: Sen. Walker

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that publication of notice by a political subdivision requires publication in only one newspaper. The bill allows a political subdivision, which includes an agency of a political subdivision, to publish legal notices on a notice web site instead of in a newspaper. The bill establishes requirements regarding availability and accessibility of the web site. The bill requires the political subdivision to designate an official responsible for the electronic publication of notices. The bill requires that a notice web site must have an electronic mail link that allows a person to submit a complaint to the political subdivision if access to any legal notice fails.

The bill provides that if a political subdivision does not have an official web site, legal notices shall be published on an existing official web site of the county government, if: (1) the county government has an official web site; and (2) the county government web site complies with the electronic publication requirements. The bill establishes requirements for the duration of the posting of a legal notice and proof of posting. The bill requires a political subdivision or agency of a political subdivision to publish an advertisement in a newspaper once a week that states the Internet address of the legal notice web site and information regarding Internet accessibility.

Effective Date: July 1, 2011.

Explanation of State Expenditures: Although most counties and larger cities have their own web sites, the state Office of Technology (OOT) maintains information about counties, cities, and towns at the following web site: <http://www.in.gov/mylocal/index.html>. Most pages on the state site already have links to official government sites. The bill specifies that the public must have access to all the registered web sites on the gateway. The OOT would be able to post a web link list of registered local government web sites on the

gateway within their existing resources.

Explanation of State Revenues:

Explanation of Local Expenditures: *Newspaper Postings-* A reduction in the number of newspapers that a political subdivision would have to publish notices in would generate a savings to those subdivisions. Total savings would depend on the number of notices currently published in a second newspaper that would no longer have to be published.

Web Site Postings- Any increase in expenditures necessary to place legal notices on a website would likely be negligible and offset by the savings from the reduction in newspaper publishing costs. The bill maintains internet postings as a local option. The impact of these provisions on local expenditures would be dependent on each political subdivision's actions, including, if a subdivision were to contract with a private web site contractor to maintain a notice web site.

Explanation of Local Revenues:

State Agencies Affected: Office of Technology.

Local Agencies Affected: Political subdivisions.

Information Sources:

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